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REMARKS

The Application has been carefully reviewed in light of the Advisory Action Before Filing of an Appeal Brief mailed on January 14, 2008 and Final Office Action mailed October 17, 2007. At the time of the Final Office Action, Claims 1-11 and 13-76 were pending in the Application and Claims 1-11 and 13-76 were rejected. The following actions were taken or matters raised: (I) Claims 1-11 and 13-76 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Summers (6876734) in view of Roseman (6608636). In order to advance prosecution of this case by overcoming the rejections asserted by the Office, Claims 1, 23, 50, 56, 63 and 71 have been amended, Claim 22 has been canceled, and remarks addressing such rejection have been presented herein. The Applicants respectfully request reconsideration and favorable action in this case.

Rejection Under 103(a) – Summers in View of Roseman

Claims 1-11 and 13-76 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Summers in view of Roseman. The Applicants assert that, in view of amended independent Claims 1, 50, 56, 63 and 71 and remarks presented herein, the present invention as recited in independent Claims 1, 50, 56, 63 and 71, and all other claims dependent thereon, is clearly distinguished from Summers and/or Roseman, and provides advantageous, useful and non-obvious functionality in view of Summers and/or Roseman. Accordingly, the Applicants submit that the rejections under 35 U.S.C. § 103(a) applied to Claims 1-11 and 13-76 as being unpatentable over Summers in view of Roseman is overcome and respectfully requests the Office to withdraw the rejections asserted against Claims 1-11 and 13-76 under 35 U.S.C. § 103(a).

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More specifically, Claims 1, 50, 56, 63 and 71 have been amended to characterize the invention with greater specificity in view of the disclosures of Summers and Roseman, individually and in combination. Independent Claims 1, 50, 56, 63 and 71 have each been amended to recite: "...said Create Avatar functionality includes facilitating creation of an avatar conference being conducted simultaneously with the conference, wherein participants of the Avatar conference are a subset of participants in the conference, and wherein an incarnation of the member administrator resides as the administrator in the avatar conference with all the capabilities that the member administrator has in the conference in addition of a bridge function that can selectively bridge the avatar conference with the conference". The cited references individually and/or in combination do not disclose: (1) Create Avatar functionality that includes facilitating creation of an avatar conference being conducted simultaneously with another conference; (2) participants of an Avatar conference being a subset of participants in the other conference; and (3) an incarnation of the member administrator residing as the administrator in the avatar conference with all the capabilities that the member administrator has in the other conference in addition of a bridge function that can selectively bridge the avatar conference with the other conference. Accordingly, one skilled in the art will appreciate that the functionality as provided by the present invention as recited in claims 1-11 and 13-76 is not capable of being provided by and is not intended to be provided by implementations of the disclosures by Summers and/or Roseman.

Furthermore, the Applicants submit that the Office has misconstrued the teachings of Summers. Specifically, the Office has asserted that Summers discloses "...the member administrator may select one of the first functions (Create Avatar) to create an Avatar conference where an incarnation of the member administrator will reside as the administrator

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in the avatar conference (col. 13, lines 8-30 and FIG. 8), with all the capabilities the member administrator has in the conference, with the addition of a bridge function which may bridge the avatar conference with the conference (column 7, lines 5-24, column 11, lines 37-65 and FIG. 7)." Summers does not disclose two simultaneous conferencing sessions among a group of participants with one being administered by a member administrator and the other being administered by an incarnation thereof (i.e., the member administrators Avatar). As such, Summers cannot disclose the member administrator bridging an Avatar conference with a concurrent conference that the member administrator is administering. In essence, the Avatar functionality of the claimed invention provides for a 'conference in a conference' while, in contrast, Summers discloses administering one conferencing session at a time.

In view of the amendments made to independent Claims 1, 50, 56, 63 and 71 and the associated remarks, Claims 1, 50, 56, 63 and 71, and all claims dependent thereon, are patentable under 35 U.S.C. 103(a) over the cited references (individually and in any combination) because they recite features, structure and/or function not present in, configured for being provided by, capable of being provided by or intended to be provided by any combination of the cited references. Accordingly, the Applicants submit that the rejection under 35 U.S.C. § 103(a) applied to Claims 1-11 and 13-76 as being unpatentable over Summers in view of Roseman is overcome and respectfully requests the Office to withdraw the rejection asserted against Claims 1-11 and 13-76 under 35 U.S.C. § 103(a).

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CONCLUSIONS

The Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for reasons clearly apparent, the Applicants respectfully request full allowance of all pending claims. If there are any matters that can be discussed by telephone to further the prosecution of the Application, the Applicants invite the Examiner to contact the undersigned at 512-306-8533 at the Examiner's convenience.

Respectfully submitted,

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